

ASSEMBLY BILL

No. 1920

Introduced by Assembly Member Davis

February 16, 2010

An act relating to elder and dependent abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 1920, as introduced, Davis. Elder and dependent abuse reporting: repeal date.

Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. These procedures require persons, defined as mandated reporters, to report known or suspected instances of elder or dependent adult abuse. Under existing law, care custodians of elder or dependent adults and local law enforcement agencies are mandated reporters. With certain exceptions, a violation of the reporting requirements by a mandated reporter is a misdemeanor.

Existing law, the Financial Elder Abuse Reporting Act of 2005, until January 1, 2013, includes within these reporting requirements mandated reporters of suspected financial abuse, as defined, and makes failure to comply with these requirements, with certain exceptions, subject to a civil penalty.

The act also, until January 1, 2013, provides that a county adult protective services office and a long-term care ombudsman when investigating the financial abuse of an elder or dependent adult is not prohibited from requesting financial information and the office or branch of a financial institution is not prohibited from responding to the request.

This bill would declare the intent of the Legislature to enact legislation that would delete the January 1, 2013, repeal for the Financial Elder Abuse Reporting Act of 2005.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that would delete the repeal date for the Financial Elder
- 3 Abuse Reporting Act of 2005 (Chapter 140 of the Statutes of 2005).